IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1524 OF 2006
IN
FIRST APPEAL NO. 565 OF 2006

Smt. Sunanda Bhagwan Deshpande
and Ors. ....Applicants.

V/s

Shri Haribhau Patlu Choudhari
(Deceased) Through his legal
heirs
1-A) Shri Prabhakar Haribhau
Choudhari & Ors. ..... Respondents.

Mr. V.G. Peshve for the applicants.

Mr. Y.A. Sakhare i/b M/s Y.K. Legal for respondent Nos. 1-A to 1-E.

ALONG WITH
CIVIL APPLICATION NO.1353 OF 2006
IN
FIRST APPEAL NO.505 OF 2006

Smt. Sundanda Bhagwan Deshpande
and Ors. .... Applicants.

V/s

Shri Anna Eknath Choudhari,
(Deceased) Through legal heirs,
1A) Smt. Parvatibai Anna
Choudhari & Ors. .... Respondents.

Mr. V.G. Peshve for the applicants.

Mr. Y.A. Sakhare i/b M/s Y.K. Legal for respondent Nos. 1-A to 1-C and 2.

CORAM : D.K. DESHMUKH &
V.M. KANADE, JJ.
DATE : 26th November, 2007.

P.C.:

It is common ground that while the suit was pending, the present appellant - plaintiff had prayed for the same interim order before the Trial Court and the Trial Court did not grant that order. Now the suit has been dismissed. In our opinion, therefore, it will not be appropriate to grant the relief which was not operating during the pendency of the suit in favour of the appellant. Both the Civil Applications are disposed of.

(D.K. DESHMUKH, J.)

(V.M. KANADE, J.)